

**SUMMARIZED MINUTES  
SCOTTSDALE CITY COUNCIL  
TUESDAY, APRIL 5, 2005**



**CITY HALL KIVA  
3939 N. DRINKWATER BOULEVARD  
SCOTTSDALE, AZ 85251**

**CALL TO ORDER**

Mayor Manross called to order a Regular Meeting of the Scottsdale City Council on Tuesday, April 5, 2005 in the Kiva, City Hall, at 5:00 P.M.

**ROLL CALL**

Present: Mayor Mary Manross  
Vice Mayor Betty Drake  
Council Members Wayne Ecton, W.J. "Jim" Lane,  
Robert Littlefield, Ron McCullagh, and Kevin Osterman

Also Present: City Manager Jan Dolan  
City Attorney Joseph Bertoldo  
City Clerk Carolyn Jagger

**PLEDGE OF ALLEGIANCE**

Troop 1792, Pueblo and Pima Elementary School Girl Scouts, Sue Ginnelly, Leader

**INVOCATION**

David Pyle, Scottsdale Bible Church

**PRESENTATIONS/INFORMATION UPDATES**

Scottsdale Museum of Contemporary Art Docent Al Thiesen presented a plaque in honor of Glidden Parker, who designed the slab glass skylights in City Hall. Mayor Manross presented a proclamation to Catherine Parker, granddaughter of Glidden Parker.

**PUBLIC COMMENT**

Mayor Manross opened public comment.

**NOTE** IN ACCORDANCE WITH PROVISIONS OF THE ARIZONA REVISED STATUTES THE SUMMARIZED MINUTES OF CITY COUNCIL MEETINGS ARE NOT VERBATIM TRANSCRIPTS. ONLY THE ACTIONS TAKEN AND DISCUSSION APPEARING WITH QUOTATION MARKS ARE VERBATIM. DIGITAL RECORDINGS OF CITY COUNCIL MEETINGS ARE ON FILE IN THE CITY CLERK'S OFFICE.

**Darlene Petersen**, 7327 E. Wilshire, 85257 commented on burying of power lines and abandonment of alleys.

**Jim Derouin**, 12827 130<sup>th</sup> Place, 85259 presented a petition (attached) requesting development of an ethics code.

**George Knowlton**, 8701 E. Valley View Road, 85250 presented a petition (attached) requesting resignation of an elected official and two City staff members.

Mayor Manross closed public comment.

### Minutes

SPECIAL MEETINGS	REGULAR MEETINGS
March 8, 2005	March 1, 2006
March 15, 2005	

COUNCILMAN OSTERMAN MOVED FOR APPROVAL OF THE ABOVE LISTED MINUTES.  
COUNCILMAN MCCULLAGH SECONDED THE MOTION, WHICH CARRIED 7-0.

### CONSENT AGENDA      ITEMS 1 – 15

ITEM 15 WAS REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.

**1.      Sportsman's Fine Wines & Spirits (Beer and Wine Bar and Liquor Store) Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a person transfer of a series 7 (beer and wine bar) and a series 9 (liquor store) liquor license for an existing location that has changed ownership.

**Location:** 10802 N. Scottsdale Road

**Reference:** 9-LL-2005 and 11-LL-2005

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

**2.      Sunflower Market (Beer and Wine Store) Liquor License**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 10 (beer and wine store) liquor license for a location currently operating with a series 9 liquor license.

**Location:** 4402 N. Miller Road

**Reference:** 10-LL-2005

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Connie Padian, Customer Service Chief Officer, 480-312-2664, [cpadian@scottsdaleaz.gov](mailto:cpadian@scottsdaleaz.gov)

**3.      Parker Place II Final Plat**

**Request:** Approve a final plat for 20 single-family residential lots with amended development standards on a 10+/- acre parcel.

**Location:** 11421 N. 124<sup>th</sup> Street, Northeast corner of 124<sup>th</sup> Street and Via Linda

**Reference:** 1-PP-2004

**Key Items for Consideration:**

- The final plat is consistent with the preliminary plat.
- Applicants have agreed to conform to ESLO-2 standards including 24 ft. building heights.
- No objections have been received from neighbors.

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**4. Cantabrica Abandonment**

**Requests:**

1. Abandon 20 feet of roadway and public utility easement along Jomax Road.
2. Adopt Resolution No. 6658 vacating and abandoning a public right-of-way.

**Location:** Southeast corner of Jomax Road and 118<sup>th</sup> Street

**Reference:** 18-AB-2004

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**5. Sherman Right-of-Way Abandonment**

**Requests:**

1. Abandon 20 feet of roadway right-of-way along Northern Avenue.
2. Reserve an eight-foot-wide public utility easement, a partial ten-foot-wide equestrian easement and a one-foot-wide vehicular non-access easement.
3. Adopt Resolution No. 6646 vacating and abandoning a public right-of-way.

**Location:** 8001 N. 73rd Place, at the northeast corner of 73<sup>rd</sup> Place and Northern Avenue

**Reference:** 24-AB-2004

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**George Knowlton**, 8701 E. Valley View Road, 85250, requested the Council table the Cantabrica and Sherman right-of-way abandonments until an investigation regarding GLO issues has been completed.

Upon request of Vice Mayor Drake, staff verified that there are no GLO easements affecting these abandonments and the roadways would be dedicated as Natural Area Open Space (NAOS).

**6. Corporate Gourmet Conditional Use Permit**

**Request:** Consider a conditional use permit for food processing and preparation in 18,000 +/- square feet of an existing 60,000 +/- square foot building located at 7621 E Gray Road with Industrial Park (I-1) zoning.

**Location:** 7621 E. Gray Road in the Scottsdale Airport

**Reference:** 1-UP-2005

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**7. Notice of Intention to Increase Water and Sewer Rates and Fees**

**Request:** Adopt notice of intention to increase water and sewer rates and fees for fiscal year 2005/06 and establish May 17, 2005 as the date for a public hearing.

**Staff Contact(s):** David M. Mansfield, Water Resources General Manager, 480-312-5681, [dmansfield@scottsdaleaz.gov](mailto:dmansfield@scottsdaleaz.gov); Craig Clifford, Chief Financial Officer, 480-312-2364, [cclifford@scottsdaleaz.gov](mailto:cclifford@scottsdaleaz.gov)

**8. Adoption of Adjusted Water, Water Resources and Sewer Development Fees Requests:**

1. Adopt Water Development, Water Resources Development and Sewer Development Fees adjusted with a construction cost index increase of 8.8% for Fiscal Year 2005/06 effective July 5, 2005.
2. Adopt Ordinance No. 3608, amending the Scottsdale Revised Code relating to water, sewer, and water resources development fees.

**Staff Contact(s):** David M. Mansfield, Water Resources General Manager, 480-312-5681, [dmansfield@scottsdaleaz.gov](mailto:dmansfield@scottsdaleaz.gov); Craig Clifford, Chief Financial Officer, 480-312-2364, [cclifford@scottsdaleaz.gov](mailto:cclifford@scottsdaleaz.gov)

**9. Design of the Stetson Drive Streetscape and Arizona Canal South Bank Improvements**

**Request:** Authorize Architectural Services Contract No. 2005-043-COS with e group inc., in the amount of \$109,430 for the design of Stetson Drive Streetscape and a portion of the Arizona Canal South Bank.

**Related Policies, References:**

- On May 17<sup>th</sup>, 2004 City Council approved Development Agreement No. 2004-034-COS for a South Bank Canal Mixed Use Development and Public Underground Parking Garage.
- On January 11, 2005 City Council authorized Construction Bid Award No. 05PB046 for relocation of utilities into Stetson Drive to Achen-Gardner Engineering, L.L.C.

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov)

**10. Modification of Assessments for the Bell II Improvement District**

**Request:** Adopt Resolution No. 6651 which will modify improvement district assessment numbers 000.0016 and 000.0017 for water lines, sewer lines and street improvements within the Bell II Improvement District, Series No. 106.

**Related Policies, References:**

- Council adopted Resolution 5751 declaring the intention to form the improvement district on February 4, 2001.
- Council adopted Resolution 5832 ordering work to begin within the district on June 5, 2001.
- Council adopted Resolution 5961 approving the Assessment Diagram and ordering the Sale of Not to Exceed \$7.9 Million in Improvement District (ID) Bonds on November 5, 2001.
- Council adopted Resolution 6262 approving final assessments on April 1, 2003.

**11. Amend the Scottsdale Revised Code to Reflect the Existence of the Scottsdale Fire Department**

**Request:** Adopt Ordinance No. 3611, amending Chapter 36, Article II, Section 36-16 Scottsdale Revised Code, by changing the definition of duly authorized agent and adding Section 36-16.1 defining Rural/Metro code references to also mean the City of Scottsdale Fire Department.

**Related Policies, References:** Ordinance 3588 creating a municipal fire department

**Staff Contact(s):** William McDonald, Fire Chief, 480-312-1880,  
[wmcDonald@scottsdaleaz.gov](mailto:wmcDonald@scottsdaleaz.gov); Joseph R. Bertoldo, City Attorney, 480-312-2405,  
[jbertoldo@scottsdaleaz.gov](mailto:jbertoldo@scottsdaleaz.gov)

**12. Intergovernmental Agreement (IGA) to Provide Forensic Services to the Fort McDowell Yavapai Nation Police Department**

**Request:** Adopt Resolution No. 6657 authorizing the City to enter into Intergovernmental Agreement No. 2005-042-COS, which allows the Scottsdale Police Department to provide forensic services to the Fort McDowell Yavapai Police Department for \$32,782.

**Related Policies, References:** This agreement is made under the authority of Article 1, Section 3-1 of the City Charter of the City of Scottsdale. Past service was provided under the terms of Intergovernmental Agreement No. 980045.

**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-5310,  
[arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)

**13. Joint Defense Agreement for Common Defense of *Dos Rios LLC v. Buckeye Irrigation District***

**Request:** Adopt Resolution No. 6660 authorizing the Mayor to enter into Agreement #2005-044-COS to jointly engage legal counsel for Common Litigation (Joint Defense Agreement), between the Cities of Scottsdale, Phoenix, Mesa, Tempe, Glendale and the Pennartz Law Firm, P.L.C., for the joint representation and defense of *Dos Rios LLC v. Buckeye Irrigation District, et. al.*, CV 2004-019064, an inverse condemnation, trespass, and negligence lawsuit.

**Related Policies, References:** Agreement No. 22699.

**Staff Contact(s):** Joseph R. Bertoldo, City Attorney, 480-312-2405,  
[jbertoldo@scottsdaleaz.gov](mailto:jbertoldo@scottsdaleaz.gov); David Mansfield, Water Resources General Manager, 480-312-5681, [dmansfield@scottsdaleaz.gov](mailto:dmansfield@scottsdaleaz.gov)

**14. Homeland Security Grant Program/Arizona Division of Emergency Services**

**Requests:**

1. Adopt Resolution No. 6659, authorizing the City of Scottsdale to accept Arizona Division of Emergency Services grants to purchase Personal Protection Equipment (PPE) and Millennium Respirators for the Police and Fire departments. This equipment will allow local responders to meet local response levels 1, 2 and 3, and to meet requirements to support regional and state needs.
2. Authorize the acceptance of the grants awarded by the Arizona Division of Emergency Services, resulting in a total, non-matching grants amount of \$551,000.
3. Authorize the establishment of Grant Nos. 2004-GE-T4-0051, 2003-TE-CX-0196 and 2003-MU-T3-0034 for the purpose of receiving the grant funding.

**Staff Contact(s):** Alan G. Rodbell, Chief of Police, 480-312-5310, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov); Marc Eisen, Homeland Security Director, 480-312-7999, [meisen@scottsdaleaz.gov](mailto:meisen@scottsdaleaz.gov)

### **MOTION AND VOTE – CONSENT AGENDA**

COUNCILMAN OSTERMAN MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS 1 THROUGH 14, AND TO APPROVE OPTION "A" IN ITEMS 7, 8, 11, 12, 13 AND 14. COUNCILMAN MCCULLAGH SECONDED THE MOTION, WHICH CARRIED 7-0.

### **ITEM 15 REMOVED FROM CONSENT AGENDA FOR SEPARATE DISCUSSION:**

#### **15. WestWorld Improvements**

**Request:** Authorize a Capital Improvement Budget and Revenue Transfer of \$4,120,000 within the adopted FY 04/05 Budget for the design and construction of site improvements for the WestWorld Multipurpose Building, and for design and construction of other improvements needed prior to the 2005/2006 WestWorld event season.

**Related Policies, References:**

- Council approved the WestWorld Master Development Site Plan on March 18, 2003.
- Development Review Board approved Case No. 41-DR-2003, WestWorld Design Guidelines, on July 10, 2003.
- Council approved Architectural Services Contract No 2004-132-COS with gh2 Gralla Architects for the design of the WestWorld Multipurpose Exhibit Hall Building on September 7, 2004.
- Council approved CM@Risk Contract No 2004-001-COS with Hunt Construction Group for pre-construction services for the WestWorld Multipurpose Exhibit Hall Building on December 14, 2004.

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Brad Gessner, WestWorld General Manager, 480-312-6825, [bgessner@scottsdaleaz.gov](mailto:bgessner@scottsdaleaz.gov)

Staff presented a recommendation for funding and approval of improvements at WestWorld and adjustments to the master plan. Improvement requests included installation of additional horse stalls, temporary coverings for arenas, additional arenas, and road improvements.

Mayor Manross opened public testimony.

**Darlene Petersen**, 7327 E. Wilshire Drive, 85257, indicated she was neither in support nor opposed to this item, but expressed concern that equestrian events may be in conflict with non-equestrian events.

**Janice McCrea Wight**, 6209 E. Waltan Lane, 85254, President of the Arabian Horse Association, thanked the City Council for visiting WestWorld to evaluate the situation and urged continued participation.

**John Austin**, 10483 E. Acoma Drive, 85255, representing the United States Tennis Association, asked the Council to consider building a regional tennis center. He stated the ideal location would be WestWorld, but acknowledged any location in the City would be wonderful.

**Nena Henry**, 27411 N. 152<sup>nd</sup> Street, 85262, spoke in favor of this item, stating that WestWorld was the premier venue for horse shows and competitions and urged the Council to vote for approval.

Two additional comment cards were received from citizens in favor of the improvements but not wishing to speak.

Mayor Manross closed public testimony.

Discussion:

- Staff was commended on their flexibility and responsiveness to the dynamic and fluid entertainment environment that includes not only the equestrian set, but also events like the Barrett-Jackson car auction.
- Council requested that paving plans be addressed by the WestWorld subcommittee and their recommendations brought before the full Council for approval.
- It was acknowledged that an audit of WestWorld was scheduled in the audit plan for this year. It was noted that staff recognized the processes required for approval with the Bureau of Reclamation for conformance to agreements.
- It was requested that shade trees be planted.
- WestWorld is a City park that attracts major equestrian events, as well as other major events. These combined efforts help to make it financially possible, feasible and easier to maintain the park.

#### **MOTION AND VOTE – ITEM 15**

COUNCILMAN ECTON MOVED TO APPROVE ITEM 15, AUTHORIZING A CAPITAL IMPROVEMENT BUDGET AND REVENUE TRANSFER OF \$4,120,000 WITHIN THE ADOPTED FY 04/05 BUDGET, AND BRING BACK THE PAVING ISSUE TO THE CITY COUNCIL FOR APPROVAL. VICE MAYOR DRAKE SECONDED THE MOTION, WHICH CARRIED 7-0.

#### **REGULAR AGENDA      ITEM 16**

**16.      Marketing Agreement with Scottsdale Motor Mile Association, Inc.**

**Request:** Consider approval of Contract No. 2005-046-COS, "Marketing Services Agreement between the City of Scottsdale and the Scottsdale Motor Mile Association, Inc." and authorize funding in the 2005/2006 budget of \$300,000 for the Economic Vitality Department, Business Services Division Account No. 100-13400-52190.

**Related Policies, References:**

- Los Arcos Redevelopment Area authorization
- Convention and Visitor's Bureau Contract
- Downtown EMSD Contract
- McDowell Road Streetscape, Design Approval
- McDowell Road Streetscape, Construction Approval
- Economic Vitality Strategic Plan

**Staff Contact(s):** David Roderique, Economic Vitality General Manager, 480-312-7601, [droderique@scottsdaleaz.gov](mailto:droderique@scottsdaleaz.gov)

Staff presented a proposed marketing agreement with Motor Mile Association wherein the City will contribute \$300,000 annually and the dealers will contribute \$840,000 annually. The presentation reviewed the program objectives, provided examples of city assistance and the anticipated results.

**Michael Famileti**, President of the Motor Mile Association, stated this will benefit the area and entire city. He stressed that dealers did not create the situation and each dealer will continue to enhance advertising. He expressed the hope that the agreement would be the beginning of a successful partnership with Scottsdale and that the City would see a return on its investment. He stated his belief that the market will not fix itself without support from the Council.

Mayor Manross opened public testimony.

**Lyle Wurtz**, 6510 E. Palm Lane, 85257, urged the Council not to cave to the private interests of developers and expressed concern regarding traffic snarls, penalization of taxpayers and revitalization of south Scottsdale.

**George Knowlton**, 8701 E. Valley View Road, 85250, commented that the City is spending money on the richest people in the city when there is a need for more helicopters and police personnel.

**Darlene Petersen**, 7327 E. Wilshire Drive, 85257, requested that excessive flags, balloons and banners be removed along Motor Mile because it looks bad and the City deserves better. She urged allocating \$80,000 in the budget to finish the statue of Winfield Scott and for the Scottsdale Symphony.

**Sherry Butler**, 8390 E. Via de Ventura, 85258, spoke in opposition to the item, and expressed concern about not putting the contract to a public vote.

**Jim Derouin**, 12827 N. 130<sup>th</sup> Place, 85259, spoke in opposition. He stated that the money spent at Los Arcos will benefit Motor Mile and suggested that changes to the infrastructure would move traffic. He urged the Council not to give public dollars to the private sector, and asked that the money be spent on public improvements that would benefit everyone.

**Virginia Korte**, 7343 Scottsdale Mall, 85250, spoke in favor of this item. She stated that shared tax revenue zones along major transportation corridors bordering cities are a good idea, but removing a municipality's right to compete for quality is very poor policy. She pointed out that Motor Mile dealers generate seven to eight percent of City tax revenues. Further, 70 percent of the Motor Mile Dealer's Association and more than 115 businesses support this item.

**Henry Kirkwood**, 8100 E. Camelback, Phoenix, spoke in opposition. As a small businessman, he finds it incomprehensible for the City to fund businesses and expressed his concern that the Council is getting bad advice.

**Bob Mayhew**, 7231 E. Latham, 85257, spoke in opposition. He stated his belief that this will not generate traffic and urged the clean up of south Scottsdale.

One additional comment card was received by a citizen in favor of the marketing agreement, but not wishing to speak.

Mayor Manross closed public testimony.

Discussion:

- It is the responsibility of the City Council to protect important sources of general fund revenue to the City, as well as the continued commitment to the revitalization of south Scottsdale. Other responsibilities of the Council include using their best judgment for the taxpayer constituents.
- The streetscape projects along McDowell Road and Scottsdale Road are in various states of progress.
- It is important to support the people who have supported Scottsdale, including automobile dealers who have supported the City for over 30 years. The Council has invested in several business ventures throughout the City that have proven to have a high level of success.
- It was expressed that if the dealers along Motor Mile could not survive without freeway access these funds might be better spent elsewhere. The \$300,000 requested comprises less than 4% of the entire amount the dealers spend on advertising, and would not make a difference in the dealer's survival at their present locations.
- The Motor Mile Dealers Association supported the Los Arcos/ASU Foundation deal stating it would increase traffic along McDowell Road and help sales. They now request an additional monetary commitment that exceeds the funds approved for the Los Arcos site.
- Approval of this expenditure would be bad public policy, a misuse of public resources and constitutes corporate welfare. Council was urged not to support the marketing agreement because it set a bad precedent.
- It was suggested the agreement be revised to include annual assessment performance criteria to be used to determine whether or not the program should be continued in the future, as well as a provision to pay back the taxpayers if the advertising subsidy program produced a certain level of additional profits to the Motor Mile Association.
- In a previous work study session, the Council agreed not to take an official position on state legislation regarding developer subsidies because there was a difference of support amongst the council members. Council members who have appeared at legislative hearings to testify on bills have done so as individuals and made it clear that they were testifying as individuals, and their opinions were not the position of the City.
- An overwhelming majority of neighboring small businesses to Motor Mile supports the marketing agreement.
- The accommodation of the Motor Mile Dealers Association demonstrates the City's willingness to support its existing businesses. Participation in the marketing plan will strengthen the economic vitality of the McDowell Road corridor, which is an appropriate market response and will demonstrate the City does care about existing businesses and revitalization of south Scottsdale.

**MOTION AND VOTE – ITEM 16**

COUNCILMAN ECTON MOVED TO APPROVE CONTRACT NO. 2005-046-COS, MARKETING SERVICES AGREEMENT BETWEEN THE CITY OF SCOTTSALE AND THE SCOTTSDALE MOTOR MILE ASSOCIATION, INC., AND AUTHORIZATION OF THE FUNDING IN THE 2005/2006 BUDGET OF \$300,000 FOR THE ECONOMIC VITALITY DEPARTMENT, BUSINESS SERVICES DIVISION ACCOUNT NO. 100-13400-52190.

COUNCILMAN OSTERMAN SECONDED THE MOTION, WHICH CARRIED 5-2, WITH COUNCIL MEMBERS LITTLEFIELD AND LANE DISSENTING.

**PUBLIC COMMENT** – None

**CITY MANAGER'S REPORT** - None

**MAYOR AND COUNCIL ITEMS**

**1. Request to provide direction to the Planning Commission regarding amending the General Plan Amendment criteria.**

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

Staff made a presentation providing background information on Growing Smarter and Growing Smarter Plus (2000), outlined the City's definition of general plan amendments, identified major amendment criteria and provided results of a survey of Valley cities on area of change criteria. Staff explained that the Planning Commission is requesting direction from the Council on whether or not major General Plan amendment criteria should be revisited.

**Discussion:**

- The City's criteria for what constitutes a major General Plan amendment may be overly restrictive.
- The Planning Commission and staff should recommend a better definition of amendments and changes to the parameters for what constitutes a major change to the General Plan.
- When the criterion was established, there was no benchmark language for comparison-- now more comparative information is available.
- The question of whether or not the current threshold for the General Plan was appropriate was raised.

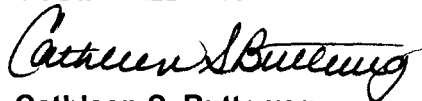
**MOTION AND VOTE – ITEM 1**

COUNCILMAN ECTON MOVED TO REQUEST THAT THE PLANNING COMMISSION REVISIT DEFINING CRITERIA FOR MAJOR GENERAL PLAN AMENDMENTS, REVIEWING OTHER CITIES' REQUIREMENTS, THEN PRESENT RECOMMENDATIONS TO THE COUNCIL AT A FUTURE MEETING. COUNCILMAN OSTERMAN SECONDED THE MOTION, WHICH CARRIED 7-0.

**ADJOURNMENT**

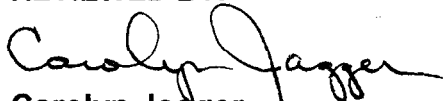
With no further business to discuss, the meeting adjourned at 7:55 P.M.

**SUBMITTED BY:**



Cathleen S. Butteweg  
Recording Secretary

**REVIEWED BY:**



Carolyn Jagger  
City Clerk

Officially approved by the City Council on

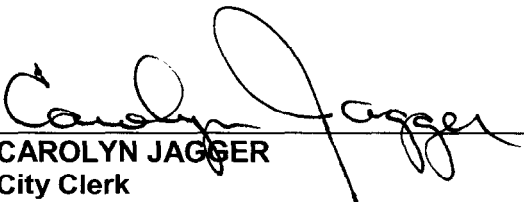
April 12, 2005

### CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 5<sup>th</sup> day of April 2005.

I further certify that the meeting was duly called and held, and that a quorum was present.

**DATED** this 13<sup>th</sup> day of April 2005.

  
\_\_\_\_\_  
**CAROLYN JAGGER**  
City Clerk

# PETITION TO SCOTTSDALE CITY COUNCIL

OFFICE OF THE  
CITY CLERK

2005 APR -5 PM 4:50

The following electors of the City of Scottsdale herein petition the Scottsdale City Council, pursuant to Article 2, Section 16 of the Scottsdale City Charter, to adopt an official ethics policy substantially similar to the attached policy which has been adopted by the Town of Paradise Valley, Arizona.

Michael Merrill	Michael Merrill
Sandi Cooper	Sandi Cooper
Fran Wyatt	Fran Wyatt
William DeTemple	William DeTemple
Betty DeTemple	Betty DeTemple
MICHAEL J. FERNANDEZ	Michael J. Fernandez
CARY COY	Cary Coy
ALLEN L. MOORE	Allen L. Moore
M.E. Lemmer	M.E. Lemmer
GEORGE C. KNOWLTON	George C. Knowlton
BRIAN S. GREEN	Brian S. Green
LORNA FISCHER	Lorna Fischer
DAVID L. GILMAN	David L. Gilman
BONNIE KNOWLTON	Bonnie Knowlton
DARLENE L. PETERSEN	Darlene L. Petersen
MICHELLE J. AUBERT	Michelle J. Aubert
PATRICIA G. BADERACH	Patricia G. Baderach

## **TOWN OF PARADISE VALLEY ETHICS POLICY**

*The purpose of this ethics policy for the Town of Paradise Valley is to assure the quality of government through ethical principles which shall govern the conduct of the Town Council and members of the Town's boards, committees and commissions. We shall:*

- 1. Obey the Constitution and laws of the United States of America, the Constitution and Laws of the State of Arizona, and the laws of the Town of Paradise Valley.*

- 2. Be dedicated to the concepts of effective and democratic local government.*

***Democratic Leadership.*** We shall honor and respect the principles and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws, rules, and regulations.

- 3. Affirm the dignity and worth of the services rendered by the Town government and maintain a deep sense of social responsibility as a trusted public servant.*

- 4. Be dedicated to the highest ideals of honor, ethics, and integrity in all public and personal relationships.*

***Public Confidence.*** We shall conduct ourselves so as to maintain public confidence in Town government and in the performance of the public trust.

***Impression of Influence.*** We shall conduct our official and personal affairs in such a manner as to give a clear impression that we cannot be improperly influenced in the performance of our official duties.

- 5. Recognize that the chief function of local government is at all times to serve the best interests of all the people.*

***Public Interest.*** We shall treat our office as a public trust, only using the power and resources of public office to advance public interests, and not to attain personal benefit or pursue any other private interest incompatible with the public good.

- 6. Keep the community informed on municipal affairs; encourage communication between the citizens and all municipal officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.*

***Accountability.*** We shall assure that government is conducted openly, efficiently, equitably, and honorably in a manner that permits the citizens to make informed judgments and hold Town officials accountable.

**Respectability.** We shall safeguard public confidence in the integrity of Town government by being honest, fair, caring and respectful, and by avoiding conduct creating the appearance of impropriety, or impropriety of which is otherwise unbefitting a public official.

7. ***Seek no favor; believe that personal benefit or profit secured by confidential or privileged information or by misuse of public time is dishonest.***

**Private Employment.** We shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service, or business creates a conflict with or impairs the proper discharge of official duties.

**Confidential Information.** We shall not disclose to others, or use to further our personal interest, confidential information acquired in the course of our official duties.

**Gifts.** We shall not directly or indirectly, in connection with service to the Town, solicit any gift or accept or receive any gift - of any value - whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form of gratuity. This policy shall not apply to hospitality, transportation or other assistance provided to Town officials, which is directly related to their participation in community events as a representative of the Town.

**Investment in Conflict with Official Duties.** We shall not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction that creates a conflict with our official duties.

**Personal Relationships.** Personal relationships shall be disclosed in any instance where there could be the appearance of conflict of interest or a conflict of interest.

8. ***Conduct business of the Town in a manner which is not only fair in fact, but also in appearance.***

**Disclosure.** In quasi-judicial proceedings, we shall abide by the directives of Arizona Revised Statutes which require full disclosure of contacts by proponents and opponents of land use projects which are before the Town Council. The Town's Boards and Commissions are also subject to these same rules. In addition to these requirements of state statutes, we shall apply this same standard of disclosure to other discretionary actions of the Council.

## Formal Petition to the Scottsdale City Council

OFFICE OF THE  
CITY CLERK

On this date, April 5<sup>th</sup>, 2005, We, the undersigned residents and citizens of Scottsdale, Arizona formally request that the Scottsdale City Council discuss and make a positive decision on the following issues within the time allotted by the Scottsdale City Charter as provided in Article 2, Section 16 of said Charter,


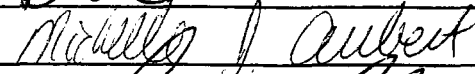
We ask for the immediate resignation or firing of Mr. Joseph Bertoldo, the current city attorney for, in our opinion, failing to properly, ethically, and effectively handle the city legal department and direct the mayor and council in proper parliamentary procedure, proper use of meetings, and other decision making situations.

We ask for the resignation or firing of Mr. John C. Little, Deputy Assistant City Manager-Downtown Unit, effective immediately for showing favoritism and failing to properly execute his duties of protecting, promoting, and improving the downtown area in the best interest of the downtown businesses, the city, and its citizens.

We ask that key city staff members be sternly and individually reminded, in writing and verbally, as to their need for uncompromised loyalty, their ethical responsibilities, and that their service to the citizens of the city comes first, then the mayor and the elected officials, but NOT to those figuratively or otherwise making promises or bearing gifts of any nature.

We ask that the mayor, council, key staff members and the legal department participate and complete a formal course on Parliamentary Procedure, taught by a certified expert in that field not currently employed or retained by the city, and that the mayor, council, key staff members, and the legal department follow those rules to the letter of the law in ALL city sponsored meetings from this point forward.

Finally, we ask for the resignation of Mayor Mary Manross for, in our opinion, failing to properly, ethically, and effectively direct this city's staff and city affairs in a responsible manner commensurate with the excellent examples set by prior Scottsdale mayors with which she has been fully charged, but which she has failed miserably to accomplish.

Name (print)	Signature
George Knowlton	
MICHELLE J. AUBERT	
Michael Merrill	